

Section 1506 - Zoning Board of Appeals

1506.01 Establishment. There is continued a separate Zoning Board of Appeals (“Board”) of the City, to serve as the board of appeals and adjustments pursuant to Minnesota Statutes 462.354, Subdivision 2.

1506.02 Powers and Duties. The Board shall have the power and duty of hearing and deciding, subject to appeal to the Council, the following matters:

1. Requests for variances from the literal provisions of Section 850 of this Code.
2. Appeals in which it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer in the interpretation or enforcement of Section 850 of this Code.
3. Requests for variances from the literal provisions of Section 1046 of this Code.
4. Requests for variances from the requirements of Section 815 of this Code.

1506.03 Membership. All members of the Planning Commission (“Commission”) shall be members of the Board from time to time. At least one Commission member shall be in attendance at each Board meeting, and shall be deemed to be the representative of the Commission for purposes of review and report by the Commission as required by Minnesota Statutes 462.354, Subdivision 2.

In addition, six regular members shall be appointed to the Board pursuant to Subsection 1500.04.

1506.04 Hearings. A quorum shall consist of three members as defined by Subsection 1506.03. At a maximum, the Board at a particular hearing shall consist of no more than five members. The Commission member in attendance with the longest continuous service on the Commission shall serve as chair for that particular hearing.

The Board shall make no decision until the Commission or its representative has had reasonable time, not to exceed 60 days, to review the matter in question and report to the Board.

1506.05 Staff. The Planning Department shall furnish and coordinate staff services, including secretarial, to assist the Board in its work. The Manager may assign additional staff as needed. Staff shall keep and maintain a written record of the Board’s actions, resolutions, recommendations and findings, which shall be a public record.

History: Ord 2011-02 deleted Sub-section 850.04 Subd. 1A and 1.5 replaced by Section 1502

Reference: M.S. 462.351 through 462.364

Cross Reference: Sections 180, 801, 810, 850